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Attorneys for Defendant, KMART HOLDING COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOYCELYN DAVIS,)	Case No. C04-0632-WDB
)	
Plaintiff,)	
)	
vs.)	STIPULATION TO DISMISS
)	CIVIL ACTION WITH PREJUDICE
KMART HOLDING COMPANY, a)	AND ORDER THEREON
corporation dba KMART and)	
KMART SUPERSTORES, and)	
DOES ONE THROUGH TWENTY,)	[Rule 41, FRCP]
Inclusive,)	
)	
Defendants.)	
)	

Notice is hereby given that the parties to the above-entitled civil action through their counsel of record hereby stipulate to entry of an immediate order dismissing this civil action in its entirety with prejudice.

Dated: September 30, 2005

s/Howard Moore, Jr.
HOWARD MOORE, JR.
Attorney for Plaintiff

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EPSTEIN BECKER & GREEN, PC

Dated: September 30 , 2005

By: s/ LORI BIEN
LORI BIEN
Attorneys for Defendant

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOYCELYN DAVIS,

Plaintiff,

vs.

KMART HOLDING COMPANY, a
corporation dba KMART and
KMART SUPERSTORES, and
DOES ONE THROUGH TWENTY,
Inclusive,

Defendants.

Case No. C04-0632-WDB

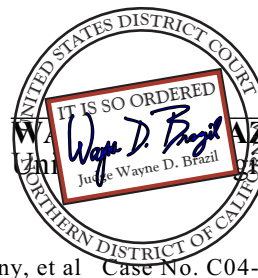
ORDER PURSUANT TO STIPULATION
TO DISMISS CIVIL ACTION
WITH PREJUDICE

[Rule 41, FRCP]

Pursuant to Stipulation:

IT IS ORDERED that this action is dismissed with prejudice and hereby closed
and removed from the active calendar of this Court.

Dated: October 7, 2005



Wayne D. Brazil
Judge
Magistrate Judge